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7 **UNITED STATES DISTRICT COURT**  
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9 **DISTRICT OF NEVADA**

10 PHILLIP J. LYONS, )  
11 Plaintiff, ) 3:07-cv-0460-LRH-RAM  
12 vs. )  
13 CONNIE BISBEE, *et al.*, )  
14 Defendants. )  
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**ORDER**

16 This is a *pro se* civil rights action filed pursuant to 42 U.S.C. § 1983. By order filed  
17 April 21, 2008, the Court granted plaintiff *in forma pauperis* status. (Docket #5). In the same order,  
18 the Court determined that the complaint states a cognizable claim for violation of plaintiff  
19 constitutional rights. (Docket #5, at p. 2). The defendants were accepted service in this action.  
20 (Docket #11).

21 On June 3, 2008, plaintiff filed a motion to amend and submitted an amended  
22 complaint. (Docket #16). On June 10, 2008, defendants filed a motion for screening of the amended  
23 complaint. (Docket #18). In the motion, defendants ask this Court to review the amended complaint  
24 to ensure that any added claims meet the requirements of 28 U.S.C. § 1915(e)(2) and 42 U.S.C. §  
25 1997e. (Docket #18). By minute order filed June 12, 2008, defendants' motion for screening of the  
26 first amended complaint was granted. (Docket #20). Pursuant to the minute order, the amended

1 complaint was filed. (Docket #21).

2 The amended complaint is a duplicate of the original complaint, with the exception of  
3 pages 48A and 48-B. No additional defendants were added with the amendment. The Court has  
4 previously determined that the original complaint states a colorable claim for violation of plaintiff's  
5 constitutional rights and is sufficient to withstand screening under § 1915A. The amendment to the  
6 complaint at pages 48A-48B, which alleges violation of plaintiff's constitutional rights in connection  
7 with a parole hearing, also states a colorable claim for violation of plaintiff's constitutional rights.  
8 The amended complaint is sufficient to withstand screening under 28 U.S.C. § 1915(e)(2) and 42  
9 U.S.C. § 1997e, and the action may proceed on the amended complaint.

10 **IT IS THEREFORE ORDERED** that the amended complaint (Docket #21) is  
11 sufficient to withstand screening and the **ACTION MAY PROCEED ON THE AMENDED**  
12 **COMPLAINT**. Defendants shall file an answer or other responsive pleading to the amended  
13 complaint within **thirty (30) days** from the date of entry of this order.

14 DATED: July 2, 2008.  
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17 UNITED STATES MAGISTRATE JUDGE  
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